

REMARKS

This paper is filed in response to the final office action mailed on January 26, 2005.

Applicant respectfully submits that this amendment is in full compliance with rule 116 because it raises no new issues, does not increase the total number of pending claims and adds the limitation used in the parent application serial number 09/707,580, now U.S. Patent No. 6,774,786 and therefore requires no additional searching or consideration.

Support for all claim amendments appears in the paragraph extending from page 10, line 28 to page 11, line 14 and the paragraph appearing on page 13, line 23 to page 14, line 17. These paragraph also appear in U.S. Patent No. 6,774,786 at column 7, lines 7-29 and column 8, line 55 to column 9, line 24. Thus, no new matter is added thereby and support for all amendments is found in the parent application.

Claims 9 and 27 are canceled and independent claims 1, 12, 22 and 30 have been amended; claims 1-8, 10-26 and 28-31 remain pending.

Turning to the rejections based upon the prior art, all claims stand rejected under 35 U.S.C. § 103 as being unpatentable over the hypothetical combination of U.S. Patent No. 6,717,513 ("Sandelman") and U.S. Patent No. 6,192,281 ("Brown") or a combination of Sandelman, Brown and U.S. Patent No. 5,521,842 ("Yamada").

In response, independent claims 1, 12, 22 and 30 have all been amended to traverse these rejections.

At the outset, under MPEP §§ 2142 and 2143,

[t]o establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure.

Citing, In re Vaeck, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991); *see also* MPEP § 2143-§ 2143.03 for decisions pertinent to each of these criteria.

Applicant respectfully submits that no hypothetical combination of Sandelman, Brown and Yamada establish a *prima facie* case of obviousness of independent claims 1, 12, 22 and 30 for the following reasons. Specifically, each independent claim requires at least one user customizable criterion to ascertain which alarms are displayed on which workstation. In other words, the claimed method of processing and displaying alarms and the claimed system for processing alarms receives and displays different categories of alarms and, based upon an operator customized criterion, displays the alarms that the operator or user is most interested in or qualified to handle. In this matter, the alarm processing software can be used by different types of people at different workstations to view different aspects of the alarms associated with the system. See page 13, line 23 to page 14, line 17.

No combination of Sandelman, Yamada and Brown teaches or suggest the method of claim 1, the processor system of claim 12, the processing system of claim 22 or the system for processing of claim 30, which require these common features.

Specifically, the base reference, Sandelman, does not teach or suggest any set of user customizable message or alarm fields. Sandelman is simply directed toward the monitoring of heating, ventilating and air conditioning equipment located at a remote site. Sandelman is not directed toward a manufacturing system which would include a plurality of field devices each adapted to generate a wide variety of alarm messages which would need to be organized and customized for different operators of different skill levels. Sandelman is primarily directed toward the detection and sending of a distinct and fixed set of alarms relating to device failure.

While Brown discloses the use of Fieldbus protocols for communications, Brown teaches nothing about user customized criterion to control what is displayed at individual workstations. Further, because Sandelman is only directed toward the monitoring air conditioners, boilers, ventilation motors and heaters without any manipulation or display content, no combination of Sandelman and Brown teaches or suggests the user controlled display criterion of the independent claims that results in a user customized alarm field recited in claims 1, 12, 22 and 30.

Accordingly, no combination of Sandelman or Brown teaches or suggests all of the claim limitations of independent claims 1, 12, 22 and 30 and there is no suggestion or motivation in either Sandelman or Brown to modify either of these references to provide the user control of displayed alarm messages as recited in independent claims 1, 12, 22 and 30. Accordingly, the obviousness rejections based upon Sandelman and Brown fail to establish a *prima facie* case of obviousness under §§ 2142 and 2143. Accordingly, applicant respectfully submits that the rejection of claims 1-6, 8, 10-16, 18-26, 28-33 and 35-38 as being obvious in view of Sandelman and Brown is improper and should be withdrawn.

Finally, turning to the rejection of claims 7, 17 and 34 as being obvious in view of Sandelman, Brown and Yamada, applicant respectfully submits that Yamada only teaches the identifying of corrective action information, and in no way teaches or suggests the user criterion for controlling the display of contextual alarm information as recited in independent claims 1, 12, 22 and 30. Accordingly, Yamada in no way supplements the deficiencies of the hypothetical combination of Sandelman and Brown as set forth above. Accordingly, applicant respectfully submits that the obviousness rejection of claim 7, 17 and 34 does not meet the standards of §§ 2142 and 2143 for the reasons set forth above.

An early action indicating the allowability of this patent application is earnestly solicited. Applicants believe that no fees are due in connection with this application. However, if any fees are due, the Patent Office is authorized to deduct said fees from Deposit Account No. 13-2855.

Dated: March 28, 2005

Respectfully submitted,

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